IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

O R D E R

Bilal Khan Vs. State of Rajasthan & Anr.

S.B.CIVIL WRIT PETITION NO.3343/2007

DATE OF ORDER :: May 30, 2007

PRESENT

HON'BLE MR.JUSTICE H.R.PANWAR

Mr.Vishwajeet Joshi, for the petitioner.

BY THE COURT:

By the instant writ petition, under Article 226 of the Constitution of India, the petitioner seeks directions to the respondents to consider his candidature for the purpose of direct recruitment to the post of Sub Inspector Police while giving him age relaxation in upper age limit as provided in Service Rules and to follow the provisions made in Rule 10(1) of the Rajasthan Police Subordinate Service Rules, 1989 (for short `the Rules, 1989' hereinafter) and to determine year-wise vacancy.

I have heard learned counsel for the petitioner.

It is contended by the learned counsel for the petitioner that the respondents fell in error in not determining the year-wise vacancies for the post of Sub Inspector Police as the Rule 10(1) of the Rules, 1989 provides determination of the year-wise vacancies for the said post. Learned counsel submits that the petitioner applied for the post of Sub Inspector Police in pursuance of the advertisement Annexure-4 dt. 9.4.2007, which provides that the candidate, who applies for the said post, should have attained 20 years of age as on 1.1.2008 and should not have attained the age of 25 years.

The petitioner apprehends that his candidature would not be considered and he would not be allowed to appear in the examination, which is yet to be scheduled to be held. The petitioner has filed an affidavit in support of the writ petition stating therein his age as 24 years. Advertisement Annexure-4 specifically provides that the candidate, who applies for the post of Sub Inspector Police, should not have attained the age of 25 years as on 1.1.2008. The affidavit is of dated 20.5.2007. Obviously, if the petitioner is 24 years of age on 20.5.2007, he would not have been attaining the age of 25 years on 1.1.2008. Even according to the petitioner, the petitioner himself is not

overage as per his affidavit and, therefore, the apprehension of the petitioner that he would not be allowed to appear in the said examination on the ground of being overage is unfounded.

The writ petition is bereft of any merit and, therefore, the same is dismissed . There shall be no order as to costs.

[H.R.PANWAR],J.

m.asif/-